

48A C.J.S. Judges § 282

Corpus Juris Secundum | August 2023 Update

Judges

Joseph Bassano, J.D.; Khara Singer-Mack, J.D.; Thomas Muskus, J.D; Karl Oakes, J.D. and Jeffrey J. Shampo, J.D.

IX. Disqualification to Act

C. Grounds for Disqualification

2. Interest and Relationship

a. Interest

(3) Particular Interests

§ 282. Membership in association or institution

[Topic Summary](#) | [References](#) | [Correlation Table](#)

West's Key Number Digest

West's Key Number Digest, [Judges](#)  42

The fact that the judge is a member of a church, lodge, society, or educational institution may, but does not necessarily, disqualify the judge from acting in a suit in which such organization is interested or to which it is a party.

The fact that the judge is a member of a church, lodge, society, or educational institution may,¹ but does not necessarily,² disqualify the judge from acting in a suit in which such organization is interested or to which it is a party. A judge who is a member in a beneficial or cooperative association which is a party to the cause has been regarded as disqualified.³ A judge's past

membership in organizations that advocate for positions advanced by a party does not necessarily require recusal for lack of impartiality.⁴

A judge who is a member of a bar association is not by virtue thereof necessarily disqualified to hear and determine a cause in which such association is interested.⁵ Thus, a judge who is a member of a bar association, which has instituted disbarment or other disciplinary proceedings against an attorney, is not disqualified to act therein,⁶ especially if the judge is not liable for assessment for expenses of the association.⁷ In addition, the judge is not disqualified although the judge pays annual fees to the association, the amount of which cannot be affected by the result of the proceedings.⁸ In a dispute between two bar associations, judges who are members of one of the associations may on that ground be disqualified.⁹

Westlaw. © 2023 Thomson Reuters. No Claim to Orig. U.S. Govt. Works.

Footnotes

- 1 Pa.—Appeal of Askounes, 144 Pa. Super. 293, 19 A.2d 846 (1941).
A.L.R. Library
Membership in fraternal or social club or order affected by a case as ground for disqualification of judge, 75 A.L.R.3d 1021.
- 2 Cal.—Valvo v. University of Southern California, 67 Cal. App. 3d 887, 136 Cal. Rptr. 865 (2d Dist. 1977).
Ill.—Skolnick v. Nudelman, 95 Ill. App. 2d 293, 237 N.E.2d 804 (1st Dist. 1968).
- 3 Ky.—Dark Tobacco Growers' Co-op Ass'n v. Wilson, 206 Ky. 550, 267 S.W. 1092 (1925).
Tex.—Pahl v. Whitt, 304 S.W.2d 250 (Tex. Civ. App. El Paso 1957).
- 4 U.S.—Armenian Assembly of America, Inc. v. Cafesjian, 783 F. Supp. 2d 78 (D.D.C. 2011).
- 5 U.S.—Denardo v. Municipality of Anchorage, 974 F.2d 1200 (9th Cir. 1992).
Conn.—Dacey v. Connecticut Bar Ass'n, 170 Conn. 520, 368 A.2d 125 (1976).
- 6 U.S.—In re Rhodes, 370 F.2d 411 (8th Cir. 1967).
Tenn.—State v. Bomer, 179 Tenn. 67, 162 S.W.2d 515 (1942).
- 7 Mo.—In re Marshall, 178 Mo. App. 16, 160 S.W. 531 (1913).
- 8 Ala.—Ex parte Alabama State Bar Ass'n, 92 Ala. 113, 8 So. 768 (1891).
- 9 N.Y.—Brooklyn Bar Ass'n v. Kings County Bar Ass'n, 258 A.D. 920, 16 N.Y.S.2d 751 (2d Dep't 1939).